

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
TENAYA RODEWALD, Cal Bar No. 248563
3 1540 El Camino Real Suite 120
Menlo Park, California 94025-4111
4 Telephone: 650.815.2600
Facsimile: 650.815.2601
5 E mail: trodewald@sheppardmullin.com

6 Attorneys for Petitioner American Institute of
7 Certified Public Accountants

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

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14 In re: DMCA Section 512(h) Subpoena to
15 Discord, Inc.,
16

Case No. 3:24-MC-80149

**PETITIONER AMERICAN INSTITUTE
OF CERTIFIED PUBLIC
ACCOUNTANTS' REQUEST FOR
ISSUANCE OF 17 U.S.C. § 512(h)
SUBPOENA**

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18 Pursuant to the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(h),
19 Petitioner American Institute of Certified Public Accountants ("AICPA"), by and through its
20 undersigned counsel, hereby requests that the Clerk of this Court issue a subpoena to Discord, Inc.
21 ("Discord") seeking documents and information related to the content uploader identified by the
22 user name below (the "DMCA Subpoena"), and respectfully shows the Court as follows:

23 1. The requested DMCA Subpoena is directed to Discord, the service provider of the account
24 through which a certain content uploader, listed under their Discord username below,
25 posted content that infringes a registered copyright held by the AICPA (the "Infringing
26 Content") at the following URL:

- 27 • <https://discord.com/channels/798657995231592491/1164683382672863344/1203434018482159757>

28 **Posted by Username: wesleysakamoto**

2. The AICPA has satisfied all of the requirements necessary for issuance of a subpoena pursuant to 17 U.S.C. § 512(h), namely:

a. The AICPA submits herewith a copy of the notice required by 17 U.S.C. § 512(c)(3)(A), which is attached as Exhibit 1 to the Declaration of Christopher M. Thomas (the “Thomas Declaration”), which is attached hereto as Exhibit A;

b. The AICPA submits herewith the proposed DMCA Subpoena, which is hereto attached as Exhibit B; and

c. The AICPA submits herewith a sworn declaration confirming that: (a) the purpose for which the DMCA Subpoena is sought is to obtain the identity of the alleged infringer; and (b) such information will be used only for the purpose of protecting the AICPA’s rights under 17 U.S.C. § 512(h)(2) (*see* Thomas Declaration).

Because the AICPA has complied with all of the statutory requirements, the AICPA respectfully requests that the Clerk expeditiously issue and sign the proposed DMCA Subpoena pursuant to 17 U.S.C. § 512(h)(4) and return it to undersigned counsel for service on the subpoena recipient.

Dated: June 14, 2024

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By

/s/ Tenaya Rodewald
TENAYA RODEWALD

*Attorneys for Petitioner American Institute of Certified
Public Accountants*